

Regular Meeting

February 4, 2008

The Regular Meeting of the Souderton Borough Council was called to order by President John Young at 7:30 p.m. Members of Borough Council present at the Meeting included the following:

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| President John U. Young | Councillor J. Edward Hunsicker, Jr. |
| Vice President Andrew C. Schlosser | Mayor John R. Reynolds |
| Councillor Ned D. Leight | Junior Councillor Andrew Espenlaub |
| Councillor D. Jeffrey Gross | Solicitor Robert G. Bricker |
| Councillor Brian K. Goshow | Borough Manager P. Michael Coll |
| Councillor Katherine M. Grubb | Public Works Director Steven R. Coll |
| Councillor Jonathan C. Gardenier | Police Chief Charles A. Quinn, Sr. |
| Councillor Ray M. Yothers | |

The Invocation was given by Councillor Jonathan Gardenier, followed by the Pledge of Allegiance to the Flag, as led by Cub Scout Pack 401. The Cub Scout troop was present at the meeting to work on their Wolf badge.

Consideration was given to the minutes of the January 7, 2008, Reorganization and Regular Borough Council Meeting. A motion was made by Councillor Ned D. Leight, and seconded by Councillor Andrew C. Schlosser to approve the minutes as presented. The motion was approved.

Consideration was given to the minutes of the January 14, 2008 Special Borough Council Meeting. A motion was made by Ray M. Yothers, and seconded by Councillor Jonathan C. Gardenier, to approve the minutes as prepared. The motion was approved.

Solicitor Report for the month of January, 2008, included reviewing the proposed Inter-municipal Agreement for the Library Funding commission and submitted a memorandum dated January 24, 2008. They researched a question concerning the Police Civil Service Commission and its role in police discipline matters and submitted a memorandum dated January 28, 2008. They have been working on questions concerning the parking situation at 121 North Main Street. They prepared and submitted a memorandum dated January 16, 2008. They are currently reviewing a proposed Cable Franchise Agreement between the Borough and Verizon. They reviewed and commented on a proposed Record Request form and Policy for the Police Department.

Following a question from Councillor Ray Yothers, Steven Coll reported that the leaf collection program for the fall was completed in January and the collection equipment has been cleaned and stored. Souderton Borough will be adding a spring collection program which will be announced at a later date.

Councillor Katherine Grubb questioned pothole maintenance along East Broad Street. Steven Coll noted that East Broad Street is a State owned and maintained road. We will assist them in patching some of the potholes. Steve Coll also noted that PECO has a trench across West Broad Street that must be repaired and crews will restore a trench on Wile Avenue near Hillside as weather conditions improve.

Following up on the Borough Solicitor's report, Borough Manager Michael Coll noted that Verizon has approached both Souderton Borough and Franconia Township to formally negotiate and approve a franchise agreement to provide cable television service in the Borough. Verizon has actually begun construction activities in the Borough to offer this added service to the residents.

Borough Manager Michael Coll also outlined the agenda for tonight's meeting. The first item concerns a Resolution approving financing through the Montgomery Township Industrial Development Authority for the purchase of the property at 150 S. Front Street. The property is under an agreement with RAC Partnership, and a representative from the company is in attendance to provide a brief presentation about this company and the intended use of the property. Borough Council will formally consider an appointment to the Zoning Hearing Board and an appointment to the Souderton Industrial Development Authority. Candidate George Johannsen did confirm his desire to serve as a member on the Souderton IDA. An agenda item was added to consider a Resolution formally approving a reduction in the member contributions to the Police Pension Plan from 5% to 2%. The plan is overfunded and our current collective bargaining agreement reflects a contribution rate of 2%. Reductions in the member contributions must be approved on an annual basis by Resolution. A motion has been prepared to formally authorize the advertisement for bids for road materials,

equipment rentals and oil and chip surface treatments. The bids will be due on March 3, 2008 and will be formally considered at the March 3, 2008 Borough Council meeting. The last item is a scheduled Executive Session for Borough Council to consult with the Borough Solicitor on legal and personnel matters.

Councillor Jonathan Gardenier commented that he distributed an email to Borough Council members clarifying additional information and expanded discussion on various Police Committee items at the January Work Session. This expanded discussion should be made part of the Police Committee report.

Consideration was given to paying the bills for the month of January, 2008.

GENERAL FUND

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|-----------------------------------|----------|-----------------------------------|-----------|
| Bergey's, Inc. | \$516.90 | Boucher and James, Inc. | \$96.25 |
| Cargill, Incorporated | 2,474.72 | Comcast Cable | 103.31 |
| Cope's Garage, Inc. | 600.92 | Country-Fair Cleaners | 261.65 |
| Farm & Home Oil Co. | 841.68 | First Precinct Uniforms/Equipment | 631.00 |
| Freedom Systems Corporation | 3,346.73 | Fromm Electric Supply Corporation | 280.64 |
| ICC | 135.00 | Indian Creek Foundation | 470.00 |
| Indian Valley Chamber of Commerce | 150.00 | Jaeger Electric Service, Inc. | 1,117.84 |
| Jason M. Kelly | 10.00 | Kopp Equipment Sales | 1,623.00 |
| Kurt Scherzberg | 16.98 | Lansdale Police Department | 150.00 |
| Lauman & Son Radiator Service | 150.00 | Letterco | 120.00 |
| Marc F. Lipkin, D.M.D., P.C. | 388.80 | Markey Paper & Packaging, Inc. | 40.03 |
| MetLife | 230.70 | Michael C. Boraski, D.M.D. | 30.00 |
| Montgomery Newspaper | 813.40 | Moyer & Son, Inc. | 2,152.28 |
| National Automobile Dealer | 70.00 | Nextel Communications | 284.24 |
| North Penn Water Authority | 168.00 | PA Local Govt Secretaries | 85.00 |
| Pennsylvania One Call System | 32.50 | Perkiomen Watershed Conservancy | 250.00 |
| Perkiomen Watershed Conservancy | 100.00 | Peter I. Psomiadis, D.M.D. | 85.00 |
| Peter R. Hufnagle | 170.00 | Plasterer Equipment Co., Inc. | 603.85 |
| PSAB | 140.00 | PSAB | 983.00 |
| PSAB CDL Testing Program | 75.00 | Richter Drafting/Office Supply | 80.17 |
| Saint Josephs University | 2,096.00 | Shelly Enterprises, Inc. | 236.56 |
| The Home Depot | 49.81 | The Reporter | 990.20 |
| Theodore P. Croll, D.D.S. | 298.00 | U.S. Municipal Supply, Inc. | 554.64 |
| Ven-Mar Sales, Inc. | 52.29 | Warehouse Battery Outlet | 95.00 |
| Weldon Auto Parts | 27.83 | Wellington Sporting Goods | 258.75 |
| Word Work, Inc. | 348.50 | MetLife | 230.70 |
| MetLife | 3100.45 | North American Benefits Company | 836.58 |
| PECO Energy | 308.05 | Pennsylvania One Call System | 22.10 |
| Plasterer Equipment Co., Inc. | 830.00 | PSAB | 150.00 |
| PSAB | 150.00 | State Worker's Insurance Fund | 3,796.80 |
| About Flags, Inc. | 6,215.00 | AT&T | 41.94 |
| Cargill, Incorporated | 2,440.06 | Ches-Mont Disposal, Inc. | 325.92 |
| Daniel L. Beardsley LTD | 48.65 | Farm & Home Oil Co. | 1,717.55 |
| Freedom Systems Corporation | 1,500.00 | Fromm Electric Supply Corporation | 11.52 |
| Glasgow, Inc. | 63.00 | H. D. Sampey, Inc. | 45.00 |
| John T. Fretz Insurance Agency | 9,730.05 | Kopp Equipment Sales | 359.00 |
| Marc F. Lipkin, D.M.D., P.C. | 832.00 | Moyer & Son, Inc. | 1,984.41 |
| NetCarrier Telecom, Inc. | 477.43 | PPL Electric Utilities | 609.90 |
| Richter Drafting/Office Supply | 48.75 | Rotanium Products Company | 195.77 |
| Shelly Enterprises, Inc. | 22.85 | Souderton-Telford Main Street | 11,250.00 |
| The Home Depot | 31.96 | Univest Visa | 245.00 |
| Ven-Mar Sales, Inc. | 165.23 | Verizon | 180.39 |
| Weaver and Reckner Dental | 200.00 | Weldon Auto Parts | 23.63 |
| Word Work, Inc. | 285.00 | Clemens Uniform Rental | 234.04 |
| Glasgow, Inc. | 63.00 | Independence Blue Cross | 16,546.78 |

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| Indian Creek Foundation | 376.00 | John R. Young & Co. | 558.73 |
| Keystone Health Plan East | 7,112.53 | MetLife | 240.70 |
| MetLife | 3,110.45 | Michael C. Boraski, D.M.D. | 136.00 |
| Naceville Materials | 164.87 | North American Benefits Company | 2,494.04 |
| Petty Cash Fund | 145.06 | PPL Electric Utilities | 9,213.91 |
| Thomas A. Lawson | 200.00 | Altek Business Systems, Inc. | 242.70 |
| Bergey's, Inc. | 82.34 | Christopher E. Werner, D.D.S. | 700.00 |
| Comcast Cable | 120.72 | Cope's Garage, Inc. | 978.05 |
| County of Bucks | 220.00 | Davidheiser's, Inc. | 43.00 |
| Donald F. Fry | 320.00 | Farm & Home Oil Co. | 928.80 |
| Fastener Supplies, LLC | 40.35 | H & K Materials | 278.49 |
| Jason M. Kelly | 50.00 | Joseph P. Kelly, Jr. | 300.00 |
| Lansdale Police Department | 300.00 | Markey Paper & Packaging, Inc. | 125.11 |
| Michael C. Boraski, D.M.D. | 124.00 | Moyer & Son, Inc. | 779.70 |
| Nyco Corporation | 10.00 | Old Dominion Brush | 231.51 |
| Peter I. Psomiadis, D.M.D. | 119.20 | Plasterer Equipment Co., Inc. | 385.05 |
| Richard A. Mellor | 55.00 | Richter Drafting/Office Supply | 795.76 |
| Rotanium Products Company | 771.82 | Shelly Enterprises, Inc. | 142.79 |
| The Home Depot | 29.96 | Towamencin Township | 5,651.00 |
| Weldon Auto Parts | 481.25 | Witmer Associates, Inc. | 236.99 |
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| | | Total General Fund | \$128,500.56 |

SEWER FUND

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|-----------------------------------|------------|-------------------------------------|-----------|
| All Industrial-Safety Products. | \$248.91 | Armour Research Co. | \$164.65 |
| Borough of Souderton General Fund | 195,000.00 | Ches-Mont Disposal, Inc. | 89.60 |
| Cintas First Aid & Safety | 39.85 | Comcast Cable | 42.95 |
| D & M Machine, Inc. | 84.00 | Dept. Environmental Resources | 125.00 |
| J.P. Mascaro & Sons | 5,027.49 | MetLife | 105.28 |
| North Penn Water Authority | 138.78 | PPL Electric Utilities | 16,577.65 |
| Suburban Water Testing Labs | 73.00 | Univar USA Inc. | 3,211.80 |
| MetLife | 105.28 | North American Benefits Company | 277.65 |
| S P Solutions | 142.74 | State Workers Insurance Fund | 1,627.20 |
| Trico Associates, Inc. | 977.13 | Central Atlantic Distributors, Inc. | 45.03 |
| Freedom Systems Corporation | 1,500.00 | Graphic Controls LLC | 129.40 |
| Hach Company | 1,109.80 | Hajoca Corporation | 559.39 |
| Lawson Products, Inc. | 267.08 | Maintenance Engineering LTD | 481.41 |
| Moyer & Son, Inc. | 353.49 | NetCarrier Telecom, Inc. | 204.75 |
| PPL Electric Utilities | 1,534.95 | Suburban Water Testing Labs | 38.00 |
| The Home Depot | 129.00 | Verizon | 54.57 |
| Wolf, Block, Schorr & Solis-Cohen | 4,590.93 | John T. Fretz Insurance Agency | 5,833.95 |
| Maryland Biochemical Co., Inc. | 347.12 | Clemens Uniform Rental | 199.05 |
| Drummond American Corporation | 591.86 | Empire Corporation | 260.00 |
| Fromm Electric Supply Corporation | 93.36 | Graphic Controls LLC | 510.69 |
| Independence Blue Cross | 4,585.80 | Independence Blue Cross | 207.65 |
| Keystone Health Plan East | 2,616.51 | MetLife | 105.28 |
| Moyer & Son, Inc. | 233.75 | North American Benefits Company | 333.51 |
| Nyco Corporation | 21.50 | Postmaster, Telford/Souderton | 175.00 |
| Richter Drafting/Office Supply | 1.45 | Schaners Wastewater Products | 2,296.06 |
| Shelly Enterprises, Inc. | 122.00 | Siemens Water Technologies | 1,099.68 |
| Stanley Heleniak, D.M.D. | 129.00 | Univar USA Inc. | 2,499.80 |
| Armour Research Company | 204.28 | Carquest | 30.78 |
| Cintas First Aid & Safety | 95.70 | Detlan Equipment, Inc. | 14.25 |
| Fastener Supplies, LLC | 37.50 | Hajoca Corporation | 434.78 |
| J.P. Mascaro & Sons | 3,907.80 | Jaeger Electric Service, Inc. | 1,714.63 |
| Pollu-Tech, Inc. | 3,029.50 | Siemens Water Technologies | 160.50 |
| Suburban Water Testing Labs | 73.00 | Warehouse Battery Outlet | 112.95 |
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| | | Total Sewer Fund | \$267,135.45 |
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CAPITAL RESERVE FUND

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| Couzins Inc. | \$24,232.18 | Spring City Electrical | \$26,433.00 |
| Univest National Bank | 1,900.25 | Univest National Bank | <u>6,052.96</u> |
| | | Total Capital Reserve Fund | \$58,618.39 |

LIQUID FUELS FUND

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|------------------------|----------|-------------------------|-----------------|
| PPL Electric Utilities | \$272.50 | PPL Electric Utilities | <u>\$312.72</u> |
| | | Total Liquid Fuels Fund | \$585.22 |

SANITARY SEWER CAPITAL FUND (PLGIT)

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|-----------------------------|-----------------|-----------------------------------|--------------|
| Bank of New York (PENNVEST) | \$57,355.94 | Bank of New York (PENNVEST) | \$57,355.94 |
| Trout Brothers | <u>5,735.64</u> | Total Sanitary Sewer Capital Fund | \$120,447.52 |

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Brian Goshow, to pay the bills for the month of January, 2008, as presented. The motion was approved.

President John U. Young opened the floor for public comment by Borough Residents and Property Owners.

Scott Houston, 7 East Reliance Road expressed concern and opposition to the proposed traffic signal for the intersection of Reliance Road and Main Street. Mr. Houston expressed concerns with light, sound and air pollution, especially with traffic backed up along E Reliance Road waiting for the signal. He further commented that he has only witnessed two accidents and uses the intersection frequently and does not feel that the signal is necessary. He asked Borough Council to consider these concerns.

Borough Council members discussed the status and purpose for the proposed traffic signal. Borough Manager Michael Coll explained that the signal has been designed and a permit has been issued by PennDOT. Following review of the design, we did ask our Borough Engineer to make some revisions to the plan for review and approval by PennDOT. In particular we are concerned with the placement of some of the poles and the removal of parking from a section of East Reliance Road. Councillor Andrew Schlosser noted that this signal is based on some previous traffic studies. Councillor Ned Leight expressed his support for the proposed signal because of the orientation of this intersection and difficulty with site lines and turning. President John Young noted that we have the plans and studies on file and instructed the Borough Manager to share these items with Mr. Houston.

Eric Boynton, 21 Hillside Avenue, questioned that status of the proposed building construction on Main Street and expressed concern that the residents be kept informed on the status of development plans and the continuing concerns on how this project may impact the surrounding neighborhood. Borough Manager Michael Coll confirmed that the developer has not submitted any formal land development plans for this proposed project, aside from a demolition permit for the removal of 144 and 152 Main Street. The land development process is a very open process before the Souderton Planning Commission and ultimately, Souderton Borough Council.

Gerald Peklak, 504 Harleysville Pike, briefly commented that his office is located at the intersection of Reliance Road and Main Street and he has experienced property damage from vehicle accidents at this intersection. His major reason for appearing before Borough Council concerns the proposal for considering a zoning district change along Main Street from Green Street to Summit Street. Mr. Peklak noted that there are a number of commercial properties that exist along Main Street, including his office and Michalak's service center. Perhaps Borough Council should consider extending a commercial zoning district the entire distance of Main Street and Harleysville Pike to the Borough line.

The first item of business was consideration of a Resolution approving the Montgomery Township Industrial Development Authority financing for the purchase of the property at 150 S. front

Street. Robert Harding, owner of RAC Partnership was recognized by President John Young to briefly explain the intended use of this property. RAC Partnership is currently operating in the industrial park on Emlen Way, Telford. The company has approximately 30 employees and they specialize in manufacturing and assembling electronic components for the aerospace industry, along with insulin pumps and other industrial control products. The building at 150 S Front Street has approximately 47,000 square feet of floor space. They plan to sublet approximately 8,000 to 9,000 square feet and maintain the remaining portion of the building for their use. The property has approximately 100 parking spaces which will be more than adequate to support the intended uses. Mr. Harding stated that the process produces limited noise and limited filtered exhaust from soldering. Everything is lead free, there are no acids and they use green products for cleaning.

Councillor Andrew Schlosser noted that Mr. Harding and RAC Partnership is a client of his and therefore he must abstain from voting. A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Jonathan Gardenier, to adopt Resolution No 08-01 approving the issuance of up to \$1,600,000 of tax exempt financing by the Montgomery Township Industrial Development Authority for property at 150 S Front Street in Souderton Borough. The motion was approved.

The next item for consideration was an appointment to the Zoning Hearing Board. Councillor Jonathan Gardenier stated that the appointment is to fill his unexpired term. One of the things he learned as a member of the Zoning Hearing Board is to be fair and accurate in your decisions. President John Young noted that Borough Council has received and interviewed four very qualified candidates for this position.

A motion was made by Councillor Jonathan Gardenier, seconded by Katherine Grubb to appoint Ray Hopkins, 417 Wile Avenue, from Ward 3, as a member of the Zoning Hearing Board. President John Young called for a roll call vote with the following result:

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| Ned D. Leight | Yea | D. Jeffrey Gross | Nay |
| Brain Goshow | Yea | Andrew C. Schlosser | Nay |
| Katherine Grubb | Yea | John U. Young | Nay |
| Jonathan Gardenier | Yea | Ray M. Yothers | Nay |
| | | J. Edward Hunsicker | Nay |

The motion failed by a vote of 5 nays to 4 yeas.

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Andrew C. Schlosser, to appoint Eugene Moyer, 262 West Chestnut Street as a member of the Zoning Hearing Board filling the unexpired term of Jonathan C. Gardenier through December 31, 2008. President John Young called for a roll call vote with the following result:

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|---------------------|-----|--------------------|-----|
| Ned Leight | Yea | Katherine Grubb | Nay |
| D. Jeffrey Gross | Yea | Jonathan Gardenier | Nay |
| Brain Goshow | Yea | | |
| Andrew C. Schlosser | Yea | | |
| John U. Young | Yea | | |
| Ray M. Yothers | Yea | | |
| J. Edward Hunsicker | Yea | | |

The motion was approved by a vote of 7 yeas and 2 nays. Councillor Katherine Grubb noted that she voted no because she preferred a candidate from a different ward. All board members are now from ward 1.

President John Young noted that Mark Limbert has formally resigned from the Souderton Industrial Development Authority and we have a recommendation to appoint George Johannsen to fill the vacancy.

A motion was made by Councillor Andrew C. Schlosser, and seconded by Councillor D. Jeffrey Gross, to appoint George Johannsen, 249 Highland Avenue as a member of the Souderton Industrial Development Authority filling the unexpired term of Mark Limbert through August 4, 2008. The motion was approved.

A motion was made by Councillor J. Edward Hunsicker, and seconded by Councillor Jonathan

Gardenier, to adopt Resolution No 08-02 reducing member contributions to the Police Pension Plan for the 2008 calendar year. The motion was approved.

The next item concerned authorization to bid road materials, equipment rentals and oil and chip. Councillor Jonathan Gardenier commented that perhaps the Borough should look into a formalized partnership with our surrounding municipalities to bid these items cooperatively. The associated quantities may yield more competitive unit prices.

A motion was made by Councillor Ray M. Yothers, and seconded by Councillor J. Edward Hunsicker, to authorize the advertisement for bids for various road materials, equipment rentals and oil and chip surface treatments for formal consideration at the March 3, 2008 regular Borough Council meeting. The motion was approved.

A motion was made by Councillor Andrew C. Schlosser, and seconded by Councillor Ned D. Leight, to adjourn to Executive Session for the purpose of consulting with the Borough Solicitor on police personnel matters. Borough Council adjourned to executive session at 8:24 pm.

Borough Council convened to public session at 10:10 pm and there being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary